



AGENDA REPORT

Meeting Date: November 4, 2010
Item Number: F-3
To: Honorable Mayor & City Council
From: Byron Pope, City Clerk
Subject: AN URGENCY ORDINANCE OF THE CITY OF BEVERLY HILLS INCREASING THE CONTRIBUTION LIMITS FOR CITY ELECTIONS, AND AMENDING THE BEVERLY HILLS MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF

Attachments: 1. Ordinance

RECOMMENDATION

Staff recommends that the City Council move to:

Read the ordinance entitled "An Urgency Ordinance of the City of Beverly Hills Increasing Contribution Limits for Regular Municipal Elections, and Amending the Beverly Hills Municipal Code" by title only, waive further reading and adopt the Ordinance. A four-fifths vote is required to adopt the urgency ordinance.

INTRODUCTION

This ordinance will increase the contribution limit for regular municipal elections when a candidate for City Council and City Treasurer accepts the voluntary campaign expenditure ceiling.

DISCUSSION

Per the consensus of the City Council at the Study Session held on Monday, October 18, 2010, this ordinance increases the contribution limits to \$400 for candidates who accept the voluntary spending limit of \$75,000. The voluntary spending limit remains at \$75,000, and the contribution limit for candidates who do not accept the voluntary spending limit remains at \$125 per contribution.

Staff is recommending that the City Council adopt the urgency ordinance in addition to introducing the ordinance at the same time. Adoption of the urgency ordinance will allow the contribution limit to take effect immediately prior to the close of the filing period for

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nomination papers. If the ordinance did not take effect immediately, candidates would have commenced campaigning and there would be confusion as which finance campaign regulations are applicable.

FISCAL IMPACT

This ordinance (regular and urgency) will have no material financial impact on the City.


for Byron Pope
Approved By

Attachment 1

ORDINANCE NO. _____

AN URGENCY ORDINANCE OF THE CITY OF
BEVERLY HILLS INCREASING THE CONTRIBUTION
LIMITS FOR CITY ELECTIONS, AND AMENDING
THE BEVERLY HILLS MUNICIPAL CODE AND
DECLARING THE URGENCY THEREOF

THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS DOES
ORDAIN AS FOLLOWS:

Section 1. Subsection A of Section 1-8-3 of Chapter 8, Title 1 of the Beverly Hills Municipal Code is hereby amended to increase the contribution limits to four hundred dollars (\$400) for candidates who do accept voluntary spending limits, and to four hundred dollars (\$400) for committees which support or oppose candidates, and to read as follows:

“A. Limits On Contributions By Persons And Committees:

1. Except as provided in this section and section 1-8-4 of this chapter, no person or committee shall make to any candidate, including the controlled committee of such candidate, a contribution in excess of one hundred and twenty-five dollars (\$125.00) for any single election at which the candidate is attempting to be, or is, on the ballot. Additionally, no candidate or candidate's controlled committee shall solicit or accept any contribution that will cause the amount contributed by the contributor to the candidate or the candidate's controlled committee to exceed one hundred and twenty-five dollars (\$125.00) for any single election at which the candidate is attempting to be, or is, on the ballot.
2. Notwithstanding subsection A1 of this section, if a candidate accepts the voluntary expenditure ceiling established by section 1-8-4 of this chapter, no person or committee shall make to any such candidate, including the controlled committee of such candidate, a contribution in excess of four hundred dollars (\$400.00) for any single election at which the candidate is attempting to be, or is, on the ballot. Additionally, no candidate or candidate's controlled committee shall solicit or accept any contribution that will cause the amount contributed by the contributor to the candidate or the candidate's controlled committee to exceed four hundred dollars (\$400.00) for any single election at which the candidate is attempting to be, or is, on the ballot.
3. No person shall make to any committee which supports or opposes any candidate or candidates, other than a candidate's controlled committee subject to subsections A1 or A2 of this section, and no such committee shall solicit or accept from any such person a contribution or contributions totaling more than four hundred dollars (\$400.00) for any single election.
4. The city council may, by resolution, adjust the contribution limit established in this subsection A in October of every even numbered year to reflect any increase or decrease

in the California consumer price index since the last such adjustment of the contribution limit. Such adjustments shall be rounded to the nearest ten-dollar (\$10.00) amount.

5. The limitations of this subsection A shall not apply to contributions of a candidate's personal funds to his or her controlled campaign committee on behalf of his or her own candidacy, and shall apply to contributions from the candidate's spouse.”

Section 2. The City Council finds that it is necessary for the preservation of the public peace, health and safety that this Ordinance take effect immediately. This Ordinance will alter the City’s campaign finance rules and regulations. If the ordinance does not become effective immediately, but instead becomes effective thirty days after its second reading, then the City’s campaign finance regulations will change after the close of the filing period for nomination papers and after candidates have begun to campaign under the previously adopted rules and regulations. It is necessary that this Ordinance take effect immediately to prevent confusion and ambiguity in the enforcement and application of the City’s campaign finance rules and regulations. Therefore, this Ordinance is necessary for the immediate preservation of the public peace, health and safety and its urgency is hereby declared. This Ordinance shall take effect immediately upon its adoption.

Section 3. Effective Date. This Ordinance is an Urgency Ordinance adopted for the immediate protection of the public peace, health and safety, containing a declaration of the facts constituting the urgency, and passed by a minimum four-fifths (4/5) vote of the City Council. Accordingly, it shall take effect immediately upon its adoption.

Adopted:

JIMMY DELSHAD
Mayor of the City of
Beverly Hills, California

ATTEST:

(SEAL)
BYRON POPE
City Clerk

Approved as to form:



LAURENCE S. WIENER
City Attorney

Approved as to content:

JEFFREY KOLIN
City Manager